



BWP AQ 10

Operating Permit Minor Modification Instructions and Supporting Materials

Table of Contents

- Introduction
- Operating Permit Minor Modification Instructions and Supporting Materials
- Completeness checklist

Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



BWP AQ 10

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(1) What is the Purpose of a Minor Modification?

The purpose of an Operating Permit Minor Modification (OPM) is to revise information in the Operating Permit to reflect changes in emissions and/or applicable requirements. A revision to an Operating Permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain program under Title IV, provided that such increases do not require an Operating Permit revision under any other applicable requirement.

(2) Who Must Apply for a Minor Modification?

Pursuant to 310 CMR 7.00: *Appendix C(8)(a)2*, a minor modification application is used by an owner or operator of a facility holding an Operating Permit if the proposed change:

- Does not violate any applicable requirements;
- Does not involve significant change(s) of existing monitoring, reporting, or record keeping requirements in the OP;
- Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
- Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the facility has assumed to avoid an applicable requirement to which the facility would otherwise be subject; and
- Is not a modification under any provision of 42 U.S.C. 7401, Title I.

(3) How is a Minor Modification Processed and What are the Timelines?

For an owner or operator of a facility to apply for a minor modification to their Operating Permit, a complete application must be filed, in duplicate. The application must be submitted on form BWP AQ10 and in accordance with the timelines established at 310 CMR 7.00: *Appendix C(4)*.

A timely application is one that is submitted concurrent with the planned modification.

- The Department will use the completed permit modification application to notify the EPA and affected states within five business days of receipt by the Department.
- The Department shall take final action within 90 days of receipt of the Minor Modification application or 15 days after the end of the EPA's 45 day review period under 310 CMR 7.00: *Appendix C(6)*, whichever is later.
- For group processing of minor modifications the final action shall be completed within 120 days of receipt of the minor modification application or 15 days after the end of EPA's 45-day review period under 310 CMR 7.00: *Appendix C(6)*, whichever is later.
- The facility may make the change upon receipt by the Department of the complete proposed OPM application.
- A minor modification, for the purposes of the acid rain portion of the Operating Permit, shall be governed by 40 CFR Part 72.
- The permit shield provisions of 310 CMR 7.00: *Appendix C(12)* shall not apply to changes made under 310 CMR 7.00: *Appendix C(8)(a)2*.



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Business Compliance Division

BWP AQ 10

Operating Permit Minor Modification Instructions and Supporting Materials

(4) What is the Application Fee?

There is no fee for this application.

(5) What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Location:

Dept. of Environmental Protection
_____*Regional Office
Bureau of Waste Prevention

Reserve Copy Location:

Dept. of Environmental Protection
_____*Regional Office
Bureau of Waste Prevention

*Find your region: <http://mass.gov/dep/about/region/findyour.htm>

All completed application packages should be submitted in duplicate (one primary copy, one reserve copy) to the appropriate regional office for review and approval.

Upon approval of the application, MassDEP stamps the reserve copy and returns it to you for your records. In this manner, MassDEP and the applicant have identical copies of the approved submittal.

(6) How Can I Avoid the Most Common Mistakes Made in Applying for a Minor Modification?

- Answer all questions on the form and indicate “N/A” (not applicable) where appropriate.
- Submit all supplementary information requested in the application.
- Submit two copies of the application to the regional office for review. One copy must have original signatures. The reserve, or duplicate copy may be a photocopy.
- Submit fee and *one copy* of the MassDEP Transmittal Form to: Department of Environmental Protection, PO Box 4062, Boston MA 02211.

(7) What are the Regulations that Apply to These Permits? Where Can I Get Copies?

These regulations include, but are not limited to:

- Air Pollution Control Regulations, 310 CMR 6.00-8.00
- Timely Action and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State Bookstore (in State House)
Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street
Springfield, MA 01103
413-784-1376



BWP AQ 10

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(1) Instructions for Completing the Minor Modification Form:

(A) Facility Information: Complete using information directly from the Operating Permit

- If you are submitting a minor modification application for a change(s) to fuel utilization emissions and/or equipment only, complete all sections EXCEPT section C.
- If you are submitting a minor modification application for a change(s) to non-fuel utilization emissions and/or equipment, complete all sections EXCEPT section B.
- If you are submitting a minor modification application for changes to fuel and non-fuel utilization emissions and/or equipment, complete ALL sections

(B-E) Follow directions, completing as instructed.

(F) Suggested Draft Permit. Any changes to the Standard Operating and Maintenance Procedures (SOMP) should be attached. Use additional pages as necessary. The following information mirrors the tables in your Operating Permit and shall be formatted as such. Complete the following information as applicable for proposed minor modification(s) only. For all tables 'Del.' Refers to Removed/Deleted and 'Mod.' Refers to Modified.

- Proposed: Emission Unit Identification: Table 1
- Proposed: Emission Limits and Restrictions: Table 3.
 - EU #: Emission Unit Number, modified or new
 - Emission Limit/Standard: Limit or Standard for pollutant, including units and temporal scale.
 - Justification: Applicable regulation, requirement, and/or MassDEP Approval Number
- Proposed: Monitoring and Testing Requirements: Table 4.
 - EU #: Emission Unit Number, modified or new
 - Monitoring/Testing Requirements
- Proposed: Record Keeping Requirements: Table 5.
 - EU #: Emission Unit Number, modified or new
 - Record Keeping Requirements
- Proposed: Reporting Requirements: Table 6.
 - EU #: Emission Unit Number, modified or new
 - Reporting Requirements:
- Proposed: Requirements Currently Not Applicable: Table 7.
 - Regulation and Description: Specify Regulation and description with justification.
- Proposed: Special Terms and Conditions:
 - Regulation and Description: Specify Regulation and description with justification.
- Proposed: Alternative Operating Scenarios:
 - Regulation and Description: Specify Regulation, description, and justification. Include predictable/routine start-up and shut-down periods.
- Proposed: Emissions Trading:
 - Regulation and Description: Specify Regulation, description, and justification.

(G) Certification: Any application form, report, or compliance certification submitted pursuant to 310 CMR 7.00: *Appendix C* shall contain certification by a responsible official of truth, accuracy, and completeness in accordance with 310 CMR 7.01(2).



Massachusetts Department of Environmental Protection
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BWP AQ 10

Operating Permit Minor Modification Application Completeness Checklist

- ☐ The MassDEP Transmittal Form is completed: <http://mass.gov/dep/service/online/trasmfrm.shtml>
- ☐ Form BWP AQ 10 is completed.
- ☐ A cover letter is attached explaining the request.

To submit the application package:

- ☐ Checklist items have been completed.
- ☐ Send two copies of the application along with two copies of the MassDEP Transmittal Form to:

Department of Environmental Protection
_____ * Regional Office

Bureau of Waste Prevention

*Find your region: <http://mass.gov/dep/about/region/findyour.htm>

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211